

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:	Brownlie et al.)
)
Application No. :	10/522,513)
)
Filing Date:	January 27, 2005)
)
For:	Canine Respiratory Coronavirus (CRCV) Spike Protein, Polymerase and Hemagglutinin/Esterase)
)

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Dear Sirs:

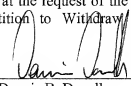
In response to the Notification of Defective Response, which was mailed by the United States Patent and Trademark Office on February 7, 2006, enclosed are:

- (x) Declaration for Utility or Design Patent Application properly identifying the citizenship of each inventor (3 pgs)
- (x) A copy of the Notification of Defective Response (2 pgs)

Although the Applicant believes that no fees are due at this time, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 10-0223. A duplicate copy of this sheet is enclosed.

Please note that the Applicant never received the Notification of Defective Response mailed by the United States Patent and Trademark Office on February 7, 2006 until it was transmitted by facsimile from the Office on May 26, 2006 at the request of the attorneys of record. On June 2, 2006, the Applicant filed a Petition to Withdraw Holding of Abandonment.

Dated: 6/20/06


Dennis B. Danella
Reg. No. 46,653

JAECKLE FLEISCHMANN & MUGEL, LLP
190 Linden Oaks
Rochester, New York 14625-2812
Telephone: (585) 899-2930
Facsimile: (585) 899-2931

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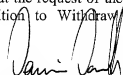
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Doc Code: 87792.017905

PTO/SB/01 (10-05)

Approved for use through 07/31/2008. CMB 0551-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐ Declaration
Submitted
with Initial
Filing

OR

☒ Declaration
Submitted after
Initial
Filing (surcharge
(37 CFR 1.16(e)))

 Attorney Docket
Number 87792.017905

First Named Inventor Browne

COMPLETE IF KNOWN

Application Number 10/522,513

Filing Date January 27, 2005

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Canine Respiratory Coronavirus (CRCV) Spike Protein, Polymerase and Hemagglutinin/Esterase

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 01/27/2005 as United States Application Number or PCT International

Application Number 10/522,513 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.66, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
0217434.0	GB	07/27/2002	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/025 attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 118 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, reviewing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9198 and select option 2.

PTO/SB/01 (10-05)

Approved for use through 07/31/2008, OMB 0851-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all
correspondence to:☒ The address
associated with
Customer

23,469

OR ☐ Correspondence
address below

Name

Address

City

State

ZIP

Country

Telephone

Email

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identify theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request to compliance with 37 CFR 1.213(e) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Family Name or Surname

John

Brownlie

Inventor's Signature

Date

Residence: City

State

Country

Citizenship

Hatfield

GB

British

Mailing Address

Royal Veterinary College, Hawkshead Lane, North Mymms

City

State

ZIP

Country

Hatfield

AL9 7TA

GB

☒ Additional inventors or a legal representative are being named on _____ supplemental sheet(s) PTO/SB/02A or 02LR are attached

Doc Code:

PTO/SB/02A (09-04)

Approved for use through 07/31/2009. OMB 0651-0032
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Victoria Jane		Chalker	
Inventor's Signature			Date 15/6/6
Residence: City	Hatfield	State	Country GB Citizenship BEMISH
Mailing Address: Royal Veterinary College, Hawkshead Lane, North Mymms			
City	Hatfield	State	ZIP AL9 7TA Country GB
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Kerstin		Bries	
Inventor's Signature			Date 09/06/06
Residence: City	Hatfield	State	Country GB Citizenship GERMAN
Mailing Address: Royal Veterinary College, Hawkshead Lane, North Mymms			
City	Hatfield	State	ZIP AL9 7TA Country GB
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature			Date
Residence: City		State	Country Citizenship
Mailing Address:			
City		State	ZIP Country

This collection of information is required by 35 U.S.C. 116 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete the form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PYO-9789 (1-800-786-8188) and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 159
Alexandria, Virginia 22313-1450
www.uspto.gov

* U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,513	John Brownlie	87792-017905

INTERNATIONAL APPLICATION NO.	
PCT/GB03/02832	
LA. FILING DATE	PRIORITY DATE
07/01/2003	07/27/2002

23469
JAECKLE FLEISCHMANN & MUGEL, LLP
180 Linden Oaks
ROCHESTER, NY 14625-2812

CONFIRMATION NO. 3443
371 FORMALITIES LETTER



0C00000017953000

Date Mailed: 02/07/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 01/27/2005
- Copy of the International Search Report filed on 01/27/2005
- Copy of IPE Report filed on 01/27/2005
- Preliminary Amendments filed on 01/27/2005
- Information Disclosure Statements filed on 12/02/2005
- Oath or Declaration filed on 11/21/2005
- Request for Immediate Examination filed on 01/27/2005
- Copy of references cited in ISR filed on 01/27/2005
- U.S. Basic National Fees filed on 01/27/2005
- Priority Documents filed on 01/27/2005
- Specification filed on 11/21/2005
- Claims filed on 11/21/2005
- Abstracts filed on 11/21/2005
- Drawings filed on 11/21/2005

Applicant's response filed 12/02/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 09/26/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - does not identify the citizenship of each inventor.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO	ATTY. DOCKET NO.
10/522,513	PCT/GB03/02832	87792-017905

FORM PCT/DO/EO/916 (371 Formalities Notice)